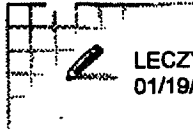


201-15616

RECEIVED

04 SEP 99 PM 1:19



LECZYNSKI.BARBARA  
01/19/99 07:50 AM

To: LANNON.KAREN  
cc:  
Subject: HPV Challenge -Forwarded -Forwarded

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Date: Fri, 15 Jan 1999 12:34:38 -0500  
From: RICHARD HEFTER <HEFTER.RICHARD@EPAMAIL.EPA.GOV>  
To: LECZYNSKI.BARBARA@EPAMAIL.EPA.GOV  
Subject: HPV Challenge -Forwarded  
Mime-Version: 1.0  
Content-Type: multipart/mixed; boundary="=\_D5824AA9.C2A3E146"

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Chemical delisting request for the group.

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Received: from dewdrop2.mindspring.com by epamail.epa.gov (PMDF V5.1-12 #26439) with ESMTP id <0F5K00M0Y2ILP1@epamail.epa.gov> for hefter-richard@dcsmtp.wictok7.epa.gov; Thu, 14 Jan 1999 10:18:22 -0500 (EST)  
Received: from hsia.org (user-37ka8k1.dialup.mindspring.com [207.69.34.129]) by dewdrop2.mindspring.com (8.8.5/8.8.5) with ESMTP id KAA23406 for <hefter.richard@epa.gov>; Thu, 14 Jan 1999 10:18:27 -0500 (EST)  
Reply-to: pdugard@mindspring.com  
Message-id: <369E0BB3.994ADE65@hsia.org>  
Organization: Halogenated Solvents Industry Alliance  
X-Mailer: Mozilla 4.02 [en] (Win95; I)  
Date: Thu, 14 Jan 1999 10:22:27 -0500  
From: Paul Dugard <pdugard@mindspring.com>  
To: HEFTER.RICHARD@EPAMAIL.EPA.GOV  
Subject: HPV Challenge  
Mime-Version: 1.0  
Content-Type: multipart/mixed; boundary="=\_D5824AA9.C3A2E047"

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Richard:

Following our telephone conversation, I now re-send my enquiry concerning the possibility of CFCs and halons receiving full formal exemption from the HPV Challenge with a list of the chemicals concerned.

Basing the HPV list on the 1990 IUR means that certain CFCs and halons are identified as subject to the Challenge. However, manufacture and import of these materials for TSCA-related purposes has ceased as a result of Montreal Protocol/Clean Air Act regulations which have phased-out production and import of unused CFCs and halons

for domestic use. Although the regulations allow production of limited quantities for developing country use, it is my understanding that no US manufacturer is so doing.

Manufacture and import are also allowed for the "essential uses" of medical aerosol (purely pharmaceutical) or laboratory reagent (unlikely to approach a million pounds, if this activity occurs at all for these materials).

It appears that the most rational approach to these phased-out compounds is to grant

them exemption from the HPV Challenge. The evidence supporting this action would

be a) The Clean Air Act Regulations and b) confirmation by EPA's Stratospheric Protection Division that production and import (for TSCA activities) have ceased. This confirmation would be based on the rigorous quarterly reporting of production and imports required under the Clean Air Act and which is administered by this EPA Division.

It is unlikely that a Test Rule would reveal any companies with responsibility for responding to the HPV Challenge if current commercial activity is the criterion in the usual way.

It seems to me that, where the reasons for exempting chemicals are as clear-cut as they are for CFCs and halons (listed below), it is in everyone's interest to remove them from the HPV Challenge list and reduce the burdens shared by Agency and industry.

I represent a small consortium of former halon and CFC producers and importers and we would be grateful if this issue could be raised in the EPA committee considering this type of request. Thank you for your attention.

Paul Dugard  
Tel 202-775-0232, Fax 202-833-0381  
e-mail: pdugard@hsia.org

CFCs and halons appearing in the list of HPV chemicals:

CAS Number

75-63-8	halon 1301	methane, bromotrifluoro
75-69-4	CFC 11	methane, trichlorofluoro
75-71-8	CFC 12	methane, dichlorodifluoro
76-13-1	CFC 113	ethane, 1,1,2-trichloro-1,2,2-trifluoro
76-14-2	CFC 114	ethane, 1,2-dichlorotetrafluoro
76-15-3	CFC 115	ethane, chloropentafluoro
353-59-3	halon 1211	methane, bromochlorodifluoro

CFCs 113a and 114a also appear on the list but these are still used as chemical intermediates. They may be treated as "non-isolated" or "site

limited" materials - this  
will be discussed at another time.

 - Part.001